

rotting in the field because there are not workers there to pick it.

Many of my H-2A-user growers and producers have been closely involved in the negotiations of AgJOBS, the amendment before us. They know immigration and guest worker reform cannot be a partisan undertaking. They have been creative and determined in finding common ground and producing bipartisan legislation. Their survival depends on this Senate passing AgJOBS.

The toughest issue is what to do about the trained and trusted farm workforce, 70 percent or more working without proper documents. Their labor is critical to Ohio and America. These farmworkers are hard-working, law-abiding people. They are paying Federal and State taxes and Social Security. They are part of the fabric of our society already in so many ways.

AgJOBS allows them to come forward and rehabilitate their status over time through the time-honored values of hard work and good behavior. The failure of this country to create a practical agricultural guest worker program has forced most of the country's agribusiness to live between a rock and a hard place. It has been said our farmers have one foot in jail and the other in the bankruptcy court. Every day, each time my constituents open the door in the morning, they know this much, if and when the Government decides to get serious about Social Security mismatch letters, about enforcement, it is all over.

They tell me: We are following the law in our hiring. Yet we know if Immigration enforcement came in tomorrow, our business would be irreparably damaged. My constituents and yours could lose their workforce tomorrow.

Some of my colleagues are critical of this legislation because they claim it provides amnesty. I disagree. Amnesty is an unconditional pardon to a group of people who have committed an illegal act, and Webster's Dictionary agrees that is the definition. There is nothing unconditional about the path to rehabilitation provided in AgJOBS. To earn adjustment to legal status, a worker must have worked in U.S. agriculture before January 1, 2005. Accordingly, this legislation imposes conditions on obtaining adjustment to legal status, including, more importantly, a work history.

These are people who have worked in the United States, many of them for many years. A lot of them are not legal. What this legislation does is it provides an opportunity for them to become legal, after supporting certain conditions.

If you believe that any forgiveness at all constitutes amnesty, then every serious proposal that comes forward to solve this problem will be amnesty. But in the end, isn't the worst amnesty of all the status quo? Ignoring and tacitly condoning this problem will not provide a solution. It has been going on too long. Let us take a step forward

now toward reconciling our laws with reality.

This legislation will help illegal immigrants working in agriculture to come clean and become part of our legal workforce, allowing this country to focus its efforts on more serious immigration problems. Furthermore, providing a means for such workers to obtain legal status provides a real incentive for them to participate in this program.

I read a portion of a letter Senator CRAIG and Congressman CANNON received from Grover Norquist, chairman of the Americans for Tax Reform. He said:

I'd like to take this opportunity to commend for you the introduction of S. 1645 and H.R. 3142. The AgJOBS bill is a great step in bringing fundamental reform to our Nation's broken immigration system. AgJOBS would make America more secure. Fifty to seventy-five percent of the agriculture workforce in this country is underground due to the highly impractical worker quota restrictions. Up to 500,000 workers would be given approved worker status screened by the Department of Homeland Security and accounted for while they are here. Any future workers coming into America looking for agriculture work would be screened at the border where malcontents can most easily be turned back. The current H2-A agriculture worker program only supplies about 2 to 3 percent of the farm workforce.

It goes on to say:

Workers that are here to work in jobs Native Americans are not willing to do must stay if food production is to remain adequate. However, those already here and new workers from overseas should have a screening system that works, both for our States' safety and for their human rights. Your bill does just that.

Mr. President, I would also like to point out that AgJOBS is endorsed by a historic bipartisan coalition of 500 and counting, national, State, and local organizations, including 200 agricultural organizations representing fruit and vegetable growers, dairy producers, nursery and landscape, ranching and others, as well as the National Association of the State Departments of Agriculture; that is, the national association of all of the 50 States' agriculture departments have come forward to support this. There is bipartisan support of this legislation by elected and appointed State directors of agriculture.

Yesterday I received a letter from Ambassador Clayton Yeutter. Clayton Yeutter has been a tireless advocate for American agriculture. You will remember that he served as Secretary of Agriculture under Ronald Reagan and as U.S. Trade Representative under George H.W. Bush. In his letter, he started out by saying:

History demonstrates that there are moments in time when special opportunities arise for political action that successfully addresses multiple challenges. Today is one of those occasions.

I agree.

He went on to describe the substance and the partisanship of the AgJOBS bill.

He ended as follows:

As President Bush has stated, we can and must do better to match a willing and hard-working immigrant worker with producers who are in desperate need of a lawful workforce. It is in our country's best interest to enact these reforms and reap the harvest of political action at a special moment in time.

That is what our President had to say.

Again, I agree.

I stand ready to take a first and most important step on this difficult issue that has plagued this Nation for too long.

As I stated, I would have preferred that immigration would not have been a part of this legislation that is before us. But as I mentioned, it came before us because of the fact that the House decided to make immigration a part of the emergency supplemental bill.

Those of us who have been concerned about immigration are taking this opportunity to clearly state what we think needs to be done. I am hopeful that tomorrow 59 of my colleagues will vote for cloture so we can get on and deal with this issue and bring the relief to thousands of people, thousands of businesses, and agribusiness in this country.

I yield the floor.

Mr. INHOFE. Mr. President, Edmundo Garcia said he had heard that the new Bush immigration plan, which would grant work visas to millions of illegal immigrants inside the United States and to others who can prove they have a job, was 'amnesty,' and he wondered why he was arrested.'

He said he would try to cross [the border from Mexico to the U.S. through the Sonoran Desert] again in a few days.

This quote from the New York Times on May 23, 2004, shows just how bad things have gotten since the administration's initial immigration policy proposal was announced.

The New York Times article goes on to say:

Apprehensions of crossers in the desert south of Tucson have jumped 60 percent over the previous year.

Nearly 300,000 people were caught trying to enter the U.S. through the desert border since last October 1st (that's October 2003)."

It continues:

After a four-year drop, apprehensions which the Border Patrol uses to measure human smuggling are up 30 percent over last year along the entire southern border, with over 660,000 people detained from October 1st through the end of April.

There are an estimated 8 to 12 million illegal immigrants in this country, with about 1 million new illegal aliens coming into this country every year. Legal immigration is even at unprecedented levels about five times the traditional levels. We now have about 1.2 million legal immigrants coming into this country each year, as opposed to an average of about 250,000 legal immigrants before 1976.

S. 359, the AgJOBS bill, could offer amnesty to at least 800,000 more illegal